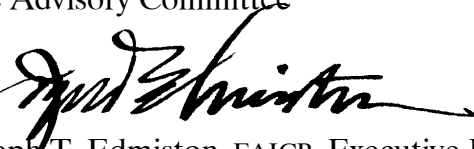


Memorandum

To : The Conservancy
The Advisory Committee

Date: January 23, 2006

From :  Joseph T. Edmiston, FAICP, Executive Director

Subject: **Agenda Item 21: Consideration of resolution recommending approval of the Mountains Recreation and Conservation Authority's expenditure of funds from the Coastal Habitat Impact Mitigation Fund to acquire the following surplus properties totaling approximately 19 acres (APNs 4462-032-903; 4465-003-900 and 901; 4467-002-901; 4471-014-901,902,904, and 4471-016-901) owned by Los Angeles County, unincorporated Malibu Area.**

Staff Recommendation: That the Conservancy adopt the attached resolution recommending approval of the Mountains Recreation and Conservation Authority's expenditure of funds from the Coastal Habitat Impact Mitigation Fund to acquire the following surplus properties totaling approximately 19 acres (APNs 4462-032-903; 4465-003-900 and 901; 4467-002-901; 4471-014-901,902,904, and 4471-016-901) owned by Los Angeles County in the unincorporated Malibu area.

Legislative Authority: Sections 33211 (c) of the Public Resources Code

Background: In 2002 the California Coastal Commission approved a Local Coastal Program (LCP) for the City of Malibu. The implementation document included an element in which specific mitigation funds are to be paid to the Mountains Recreation and Conservation Authority (MRCA) into the "Coastal Habitat Impact Mitigation Fund." In November of 2003, the Conservancy, the MRCA, and the California Coastal Commission signed a Memorandum of Understanding (MOU) regarding administration of this fund.

The MRCA is the entity that receives, holds, and expends the mitigation funds. However, the MOU states, "No funds shall be expended or transferred unless the Conservancy has reviewed and recommended approval of, and MRCA approves, expenditure of the funds either by MRCA or another recipient." The proposed action would constitute the Conservancy's approval of a set of properties that Los Angeles County has declared surplus in the Santa Monica Mountains portion of the Coastal Zone. Los Angeles County (Chief Administrative Office, Real Estate Division) first offered 13 such properties to the Conservancy for \$250,000. Staff waived the Conservancy's first right of refusal on five of the properties and requested that the County sell eight properties to the MRCA for \$200,000. The properties that were waived by staff all had significant brush clearance requirements that neither the Conservancy or the MRCA has the funding to do annually.

In the attached letter dated June 30, 2005, the County agreed to this request to sell the MRCA eight parcels totaling 19.63 acres. The attachment to the County's letter lists the parcel numbers and their locations. Aerial photographs of each parcel are also attached. In the June 30, 2005 letter, the County also agreed to include, at no cost, APN 4465-001-900 (0.89 acres) which is located on the east side of Kanan Dume Road south of APN 4465-001-900 (not shown on any attachment). A draft purchase and sale agreement between the MRCA and the County is also attached. The Coastal Habitat Impact Mitigation Fund has approximately \$260,000 accumulated to date according to the MRCA staff.

The Malibu Canyon parcel APN 4462-032-903 (3.12 acres) is located adjacent to Malibu Creek approximately 400 feet north of the Backbone Trail. The three Ramirez Canyon parcels located along Kanan Dume Road APNs 4465-003-900 and 901 (13.78 acres) and APN 4467-002-901 (0.26 acres) each abut National Park Service property on at least two sides. The largest property is directly above Conservancy-owned Ramirez Canyon Park.

The remaining four parcels (APNs 4471-014-901, 902, 904, and 4471-016-901) total approximately two acres abutting Kanan Dume Road just south of Latigo Canyon Road. These parcels provide important viewshed resources along Kanan Dume Road and contain high quality chaparral and oak woodland habitat. Development of any of the eight subject parcels would result in unacceptable visual and ecological impacts.